IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)) 8:11CR382
Plaintiff,) 8.11CR362)
VS.) DETENTION ORDER
FLORENCIO AVILA-SANCHEZ,	
Defendant.	}
A. Order For Detention After conducting a detention hearin Reform Act on November 18, 2011, detained pursuant to 18 U.S.C. § 314	ng pursuant to 18 U.S.C. § 3142(f) of the Bail, the Court orders the above-named defendant 42(e) and (i).
conditions will reasonably assu By clear and convincing evider	
which was contained in the Pretrial S X (1) Nature and circumstance. X (a) The crime: having deported from the Nebraska after has consent of the Atto U.S.C. § 1326(a) at U.S.C. § 1326(b). (b) The offense is a crimination (c) The offense involve wit: (c) The offense involve wit: (2) The weight of the evidence (a) General Factors: The defense may affect at the Atto U.S.C. § 1326(b). (b) The offense involve wit: (c) The offense involve wit: (d) The offense involve wit: The defense involve wit: The de	ng previously been convicted of a felony and e United States, being found in the District of aving re-entered the United States without the corney General or his successor in violation of 8 and subject to ten years imprisonment under 8 rime of violence.

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		The defendant has a significant prior criminal record.
		The defendant has a prior record of failure to appear at court proceedings.
(b)	At the ti	me of the current arrest, the defendant was on:
		Probation
		Parole
		Release pending trial, sentence, appeal or completion of
		sentence.
(c)	Other Factors:	
	<u>X</u>	The defendant is an illegal alien and is subject to deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
	<u>X</u>	The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.
		Other

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: November 18, 2011. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge